

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

BOARD OF MASSAGE THERAPY

MINUTES OF THE MEETING

September 15th & 16th, 2016

These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Massage Therapy was held at the Atwood Building, Suite 1760 in Anchorage, Alaska on Thursday, September 15th and Friday, September 16th, 2016 beginning at 8:41 a.m.

September 15th, 2016:

Agenda Item 1 Call to Order

Time: 8:41 a.m.

The meeting was called to order by Chair, Amanda Unser at 8:41 a.m.

Board Members Present, constituting a quorum:

Amanda Unser, Licensed Massage Therapist (Chair)
David Edwards-Smith, Licensed Massage Therapist
Ron Gibbs, Licensed Massage Therapist
Traci Gilmour, Licensed Massage Therapist
Shirley Nelson, (Public Member)

Division Staff Present:

Laura Carrillo, Records & Licensing Supervisor (*telephonically*)
Dawn Hannasch, Records & Licensing Supervisor(*telephonically*)
Sara Chambers, Division Operations Manager(*telephonically*)
Jun Maiquis, Division Regulations Specialist (*telephonically*)
Angela Birt, Chief Investigator
Al Kennedy, Investigator

Jasmin Bautista, Investigator

Members from the Public Present:

Volker Ruby, Alaska Massage Therapy Association (President)
Edward Toal
Shalome Cederberg, Boards & Commissions
Jeremy Applegate, Department of Labor - Wage & Hour

Agenda Item 2 Review Agenda

Time: 8:42 a.m.

Amanda Unser initiated discussion on reviewing the agenda for September 15th, 2016. Ms. Unser informed the Board that FBI representatives would not be available during the scheduled time allocated for their discussion at 1:30 p.m. Ms. Unser instead suggested to the Board that they take 15 minutes during lunch to compile questions to later pose to the FBI.

On a motion duly made by Traci Gilmour, seconded by Ron Gibbs, and approved unanimously, it was:

RESOLVED to amend the agenda as suggested.

On a motion duly made by Ron Gibbs, seconded by David Edwards-Smith, and approved unanimously, it was:

RESOLVED to approve the amended agenda.

Agenda Item 3 Review Meeting Minutes

Time: 8:47 a.m.

Hearing nothing further on reviewing the agenda, Ms. Unser prompted the Board to review the minutes from the previous meeting from June 2nd & 3rd, 2016 as it was advised that the Board would be referring to it throughout the day. Traci Gilmour suggested that in the future, the examiner place the meeting minutes directly behind the agenda for more convenient reference. The Board also requested a follow-up in regards to whether or not the September emergency meeting minutes have been posted. Traci Gilmour noted that at the Board's previous meeting, all members of the public were in attendance in-person, with the exception of Cheri Bell—this needs to be correctly reflected in the June minutes.

On a motion duly made by Traci Gilmour, seconded by David Edwards-Smith, and approved unanimously, it was:

RESOLVED to approve the amended meeting minutes from June 2nd, 2016.

TASK:

The licensing examiner will place the minutes directly behind the meeting agenda for subsequent Board packets.

TASK:

The licensing examiner will follow-up to make sure the September 8th, 2016 emergency meeting minutes have been posted.

TASK:

The licensing examiner will correct the June meeting minutes to reflect that all members of the public were in attendance in-person, except Cheri Bell.

Ms. Unser then directed the Board's attention to a motion made at the previous meeting on June 3rd, 2016 in regards to AS 08.61.080. She informed the Board that the motion was in need of rescinding as the intent behind the motion was for it to ultimately be submitted as part of a regulation change, not a statutory project.

In rescinding the original motion made on June 3rd, 2016 to, "amend 08.61.080 to add: 'Persons who qualify for exemptions 10/13 must register for exemption with the Department and must show current certified professional membership with IASI or current certification from ROLF Institute of Structural Integration or shows current certification with a national reflexology certification board'", the following clarification was made:

On a motion duly made by Traci Gilmour, seconded by Ron Gibbs, and approved unanimously, it was:

RESOLVED to amend the motion to state, "amend 08.61.080 to add as a regulation, 'Persons who qualify for exemptions 10/13 must register for exemption with the Department and must show current certified professional membership with IASI or current certification from ROLF Institute of Structural Integration or show current certification with a national reflexology certification board.'"

Agenda Item 4 Ethics

Time: 8:51 a.m.

There were no ethics issues to disclose.

Agenda Item 5 Announcements

Time: 8:52 a.m.

Hearing no further announcements, the Board then moved to discussion on old business.

Amanda Unser announced to the Board that she would be stepping down as Chair in February, and reminded the Board that applications for appointment can be found on the Boards & Commissions site. Ms. Unser also commented that Board members should not serve on the Board for more than two consecutive years without taking a break as the work load may require an overbearing commitment.

Agenda Item 6 Old Business

Time: 8:58 a.m.

The Board reviewed the previous task list from the June meeting, which were as follows:

TASK	STATUS	COMMENTS
Trace applications that received a tabled vote after the license was issued.	Pending	Follow-up with examiner
Send motion(s) to Jun Maiquis for regulation review.	Pending	Examiner to compile regulations document following September meeting and send to Jun Maiquis
FSMTB – file for renewal of membership.	Pending	Follow-up with travel
Contact the Department of Environmental Conservation regarding shop inspection, Jolene Godden (FBI), Jeremy Applegate (Labor and Wage Investigator) regarding a three hour class on human trafficking.	Pending	Board to compile questions for the FBI
Legal contact regarding conditionally approved applications.	Pending	Follow-up with examiner
Follow up with Ed Toal on Claire Miller.	Pending	Ed Toal to speak during public comment
Follow up with Michelle Drummond regarding authorization of release of records.	Complete	Not required to release authorization records
Anne Anthony at NCBTMB: Interested in receiving the reports that capture sanctions on certificates, assigned schools, and approved providers for continuing education requirements.	Incomplete	Further follow-up requested
Sara Chambers: if there were 150 massage establishment businesses, what would the	Pending	Further clarification needed via e-mail

fee for shop licensing look like?		
(Board Members): Temporary license research	Pending	Further discussion anticipated
(Board Members): Revisit tabled motions by Ron Gibbs	Pending	Further clarification needed via e-mail
(Board Members): Review scope of practice as initiated by David Edwards-Smith	Pending	Further clarification needed via e-mail

The Board also requested an updated on an out-of-state conference that will be held in Cleveland. David Edwards-Smith indicated to Ms. Carrillo that he had received travel itinerary from the Division's travel desk. Ms. Carrillo later followed-up with the Board and confirmed that travel had been approved for Mr. Edwards-Smith, but that travel was not submitted for examiner, Randy Brown.

(Regulation projects) –

12 AAC 70 210(d)(2): In addition, Ms. Unser clarified to Ms. Carrillo that the previous motion made during the June meeting to “adopt part 12AAC 79.210(d)(2) to include “regionally or nationally accredited institution of higher education; a course, seminar workshop, or other program through that institution must be approved by the board as directly related to the skills and knowledge required for the practice of massage therapy, and includes a bloodborne pathogens and universal precautions course under (C) of this section; or (3) local, state or national professional organization that serves the massage therapy profession, including (A) Associated Bodywork and Massage Professionals; (B) the American Massage Therapy Association; (C) the Federation of State Massage Therapy Boards; and (D) the National Certification Board for Therapeutic Massage and Bodywork” is intended to be submitted as a regulation.

12 AAC 70.210(g): The Board then entertained a discussion to allow continuing education credit for participation in a Board meeting where public comment is part of the agenda. After deliberation, the Board entertained a motion to allow two continuing education credits.

On a motion duly made by Amanda Unser, seconded by Traci Gilmor, and approved unanimously, it was:

RESOLVED to deny adding a new section under 12 AAC 70.210(g) as a regulation, to allow starting September 16th, 2016 80% of attendance of a Board meeting with public comment given, to count as two continuing education credits.

A new motion was then made.

On a motion duly made by Amanda Unser, seconded by Traci Gilmour, and approved unanimously, it was:

RESOLVED to approve adding a new section under 12 AAC 70.210(g) as a regulation, to allow starting September 16th, 2016 80% attendance at a Board meeting with public comment given to count as one continuing education credit to start December 3rd, 2016.

The Board discussed the above motion, and Tracy Gilmour commented that the intent behind giving credit for Board meeting attendance is not to be awarded for participation a *every* board meeting. Ron Gibbs agreed, adding that participation credit should only be given once per renewal cycle.

(Temporary/military license discussion) –

Traci Gilmour briefly spoke on the topic of temporary licenses, in which she only found information pertaining to individuals who had just graduated from massage therapy school. Traci indicated that the preliminary information gleaned was not very informative. Amanda commented to the Board that she was not supportive of temporary licenses due to the lack of requiring background checks, in addition to other liability issues. The Board also discussed military/expedited licenses under the division's relevant centralized statute.

Ron Gibbs reviewed the previous motions:

(From February) Upon a motion made by Amanda Unser and seconded by David Edwards-Smith, with Amanda Unser, David Edwards-Smith, Shirley Nelson and Ron Gibbs voting "YES", and Traci Gilmour voting "NO"

It was RESOLVED to amend 08.61.010(A) to read "a course of study at least 750 hours of in-class supervised instruction and clinical work from an approved massage school".

(From June) Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, with unanimous approval,

It was RESOLVED to reconsider 08.61.030 (A) and reopen the discussion on the 750 hours of education discussion. 117PM

(From June) Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval,

It was RESOLVED to table the motion until the next board meeting for discussion after more research is done.

Amanda Unser suggested to the Board to move discussion of the above motions to the New Business discussion for the following day, September 16th. The Board would also be discussing massage therapy scope of practice under new business as well.

Amanda Unser called for break at 9:16 a.m.

Off the record on 9:16 a.m.

On the record at 9:34 a.m.

Agenda Item 7 Public Comment

Time: 9:34 a.m.

Volker Ruby joined the room telephonically at 8:32 a.m.

Volker Ruby left the room telephonically at 9:42.

Ed Toal joined the room via Anchorage

Ed Toal left the room via Anchorage

Shalome Cederberg entered the room via Anchorage

Shalome Cederberg left the room via Anchorage

Volker Ruby from the Alaska Massage Therapy Association posed four questions to the Board:

- 1.) Is it possible to notify massage therapists working in remote, seasonal lodges for the purpose of informing them of the requirement to obtain an Alaska massage therapy license?
- 2.) Is it possible for individuals to obtain a temporary permit while waiting for their permanent state license to process?
- 3.) For therapists graduating massage school in 2017 have to obtain an additional background check in order for their renewal to process? Is there a possibility of changing the massage therapy expiration date to two years subsequent to the initial date of issuance?
- 4.) Is there a way for the Board to quantify/qualify acceptable specific continuing education *courses* amongst several courses offered by “approved” providers?

Ed Toal also joined the room to voice his opposition regarding a potential increase in continuing education quantity from 500 to 750, which he previously noted at the Board’s June meeting. Mr. Toal also briefly mentioned an entry level analysis report. The Board did not respond to Mr. Ruby or expound on Mr. Toal’s concerns at this time, but did make an

effort to ensure these public members that their comments are taken to heart and would be responded to imminently during correspondence.

Shalome Cederberg spoke to the Board to inform them of her role with Boards & Commissions, and briefly discussed how applicants can apply for a seat on the Board. Ms. Unser inquired about the recruitment details, with which Ms. Cederberg responded that postings are active for two weeks in order to attract a fuller applicant pool. Following this discussion, Amanda Unser noted to the Board that two seats would become available in November.

The Board then discussed adding a new regulation section to allow continuing education credit for participating in a Board meeting, which can be found under agenda item #6.

Agenda Item 8 Parliamentary Procedure

Time: 10:00 a.m.

The Board discussed procedures in restating motions and other Robert's Rules of Order.

TASK:

Ms. Carrillo will provide the Board with primary and executive session motion sheets.

Agenda Item 9 Budget Report/Division Updates

Time: 10:15 a.m.

Division Operations Manager, Sara Chambers entered the room telephonically at 9:58 a.m.
Division Operations Manager, Sara Chambers left the room telephonically at 10:50 a.m.

Records & Licensing Supervisor, Dawn Hannasch entered the room telephonically 10:08 a.m.

Records & Licensing Supervisor, Dawn Hannasch left the room telephonically 10:35 a.m.

Sara Chambers first addressed Ms. Unser's inquiry regarding fees. Ms. Chambers informed the Board that if the Division anticipated 1,000 licensees at the time of going through the formation of this program with the legislator, the estimated fees would have been \$300-\$350 for an initial license. In addition to this topic, Ms. Chambers discussed administrative and travel requests and concerns, disciplinary procedures, investigative policies/procedures, professional fitness questions, incomplete applications, and Christopher Delamar.

Ron Gibbs inquired to Ms. Chambers about examiners' time allocation between programs. Ms. Chambers responded that as examiners are assigned to multiple programs, phone calls or messages may not be returned immediately, but certainly should be in a reasonable manner.

The Board and Ms. Chambers then discussed the North Carolina Dental Board issue and its relevance in acting outside of scope in regards to adhering to due process of the law. The NC Dental Board was stripped of immunity due to making decisions without legal consultation. This discussion highlighted the importance of going through specific, pronged state procedures—via the investigative unit and the Department of Law—before determining whether or not a violation has occurred. Ms. Chambers ensured the Massage Therapy Board that their immunity is secured through established division and state processes.

Agenda Item 10 Investigations

Time: 11:07 a.m.

Chief Investigator, Angela Birt, Al Kennedy, and Jasmin Bautista entered the room via Anchorage

Chief Investigator, Angela Birt, Al Kennedy, and Jasmin Bautista left the room via Anchorage

The Division's Investigators spoke briefly before Jasmin Bautista discussed confidential matters with the Board. Jasmin informed the Board that the Division had opened 24 matters, closed 16, and that 13 matters remained open.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to enter into Executive Session in accordance with the provisions of Alaska Statutes 44.62.310 (c)(3) to discuss (c)(2): subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

In executive session at 11:07 a.m.

Left executive session at 11:40 a.m.

Agenda Item 11 Legal/Regulations

Time: 11:47 a.m.

Regulations Specialist, Jun Maiquis entered the room telephonically at 11:47 a.m.

Regulations Specialist, Jun Maiquis left the room telephonically at 11:47 a.m.

Upon returning from executive session, The Board returned to discussion on regulations. Amanda Unser initiated a brief discussion on adding a clarifying regulation under the statutory authority pertaining to applying for an exemption under AS 08.61.080. The Board

then resumed discussion on 12 AAC 70 210, which was previously discussed under agenda item #6. The Board expressed that they had previously intended for their discussion on potential regulation changes to be submitted to Jun Maiquis subsequent to their last meeting. The Board asked for clarification regarding the regulatory change process, to which Ms. Carrillo stated that the examiner compiles a document with the Board's motions pertaining to regulation changes following completion of the meeting minutes, then sends the pertinent minutes to the regulations specialist, who sends the proposed changes to the Department of Law. Ms. Carrillo commented to the Board that for a cost savings measure, they have an option to bulk regulation projects together, rather than submit several regulation proposals within a short period. Mr. Maiquis reiterated the benefits of this cost savings measure for the Board's consideration. Ms. Unser stated that the Board intended on submitting the regulation project immediately following the completion of this September meeting.

TASK:

Ms. Carrillo will e-mail the Board a document showing the regulation process workflow.

TASK:

Examiner will compile a regulations document including the Board's proposed regulation changes from the June and September meeting.

Agenda Item 12 Lunch

Time: 12:00 p.m.

Upon a motion made by Traci Gilmour and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to break for lunch at 12:00 p.m.

Off record at 12:00 p.m.

On record at 1:44 p.m.

Agenda Item 13 FBI

Time: 1:44 p.m.

Upon return from lunch, the Board moved to discussion on the FBI. Earlier in the day, Ms. Unser noted that FBI agents would not be present for discussion, but that the Board would be spending time thinking of questions to later pose to them. The Board then discussed human trafficking and labor and wage investigations, and whether or not the FBI had any courses to offer on these topics.

Ms. Carrillo inquired to the Board whether they were interested in a program geared towards addressing ethical and boundary issues amongst licensees who have made professional

violations. Ms. Carrillo explained that a program, Ethics and Boundaries Assessment Services (EBAS) has been utilized by several professions, and can be used to help Boards guide disciplinary actions or to make recommendations. It was also added that participation in EBAS would be a cost incurred by the licensee, not to the Board. The Board expressed interest in this.

TASK:

Ms. Carrillo will e-mail the Board information on EBAS.

Agenda Item 14 Labor and Wage

Time: 2:06 p.m.

Labor and Wage Investigator, Jeremy Applegate joined the room at 1:55 p.m.

Labor and Wage Investigator, Jeremy Applegate left the room at 1:44 p.m.

Jeremy Applegate joined the room to discuss a course on human trafficking.

Agenda Item 6 Old Business

Time: 2:07 p.m.

(FSMTB Travel) –

The Board returned to discussing Old Business, at which time the topic of FSMTB travel, for which the Board had previously voted to send David Edwards-Smith as a delegate, as well as Licensing Examiner, Randy Brown. Amanda Unser read an e-mail pertaining to this travel, which included a statement that the FSMTB would be covering travel expenses. This travel for Mr. Edwards-Smith was ultimately approved.

(Board Member Composition) –

The Board stated they had 5 members on the Board, four of whom are licensed massage therapists, and the remaining member is a public seat.

Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval

It was RESOLVED to go on break.

Off record at 2:44 p.m.

On record at 2:55 p.m.

Agenda Item 15 Environmental Conservation

Time: 2:30 p.m.

There was no employee from Environmental Conservation to facilitate discussion under this agenda item. The Board instead resumed discussion on Old Business.

Agenda Item 16 Licensing Draft

Time: 2:55 p.m.

Upon return from break, the Board addressed discussion on reviewing a draft ordinance of the Anchorage Municipal Assembly regarding massage establishment licensure, which are statutory changes.

(Statute changes) –

AS 08.61.030 – The Board reiterated their intent on seeking legislative approval to change AS 08.01.030(7) to read, “has received at least two hours of safety education covering bloodborne pathogens and universal precautions in the two years preceding the application for the license; in this paragraph, “bloodborne pathogens” has the meaning given in AS 18.15.450”.

AS 08.61.080 – The Board intends on clarifying, under this statutory authority, that persons under (7)(10)(11)(13) must apply for an exemption.

Agenda Item 17 Adjourn

Time: 2:55 p.m.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to adjourn the meeting at 4:30 p.m.

September 16th, 2016:

Agenda Item 1 Call to Order

Time: 8:34 a.m.

The meeting was called to order by Chair, Amanda Unser at 8:34 a.m.

Board Members Present, constituting a quorum:

Amanda Unser, Licensed Massage Therapist (Chair)

David Edwards-Smith, Licensed Massage Therapist
Ron Gibbs, Licensed Massage Therapist
Traci Gilmour, Licensed Massage Therapist
Shirley Nelson, (Public Member)

Division Staff Present:

Laura Carrillo, Records & Licensing Supervisor (*telephonically*)
Sara Chambers, Division Operations Manager (*telephonically*)
Jasmin Bautista, Investigator

Members from the Public Present:

Sarah McGlashan
Drew Cason, Alaska Rolfer's Association
Brice Breaux
Ed Toal

Agenda Item 2 Review Previous Day

Time: 8:35 a.m.

The Board reviewed progress from the previous day, then began discussing the differentiation between set aside and guilty convictions; it was clarified that set aside convictions are actually guilty convictions.

Agenda Item 3 Application Review

Time: 8:41 a.m.

Drew Cason joined the room telephonically at 10:39 a.m.
Drew Cason left the room telephonically at 10:41 a.m.

The Board moved to application review and discussed with Sara Chambers the circumstances in which executive session is necessary.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to enter into Executive Session in accordance with the provisions of Alaska Statutes 44.62.310 (c)(3) to discuss (c)(2): subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

In executive session at 8:41 a.m.
Left executive session at 9:12 a.m.

Upon coming out of executive session, the Board moved to vote on applications, beginning with those that had previously been tabled.

Upon a motion made by Ron Gibbs and seconded by David Edward-Smith, with unanimous approval

It was RESOLVED to deny the application for Yong Li per 12 AAC 79.910 and AS 08.61.060(1).

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to deny the application for Keimonte Blueford, Case #2016-000-901. per AS 08.61.060(1), AS 08.01.075, AS 08.61.030(9), and 12 AAC 79.910(10).

Upon a motion made by Traci Gilmour and seconded by David Edward-Smith, with unanimous approval

It was RESOLVED to deny the application for Arturo Ramirez, Case #2016-001121 per 12 AAC 79.910(10)(11)(3).

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with Amanda Unser and David Edwards-Smith voting, “No”, Traci Gilmour and Shirley Nelson voting, “Yes”, and with Ron Gibbs voting to table

It was RESOLVED to table the application for Cynthia Taranto until the next Board meeting in December to allow her an opportunity to present additional information to the Board.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to approve the application of Melissa Kelsey pending approval of a consent agreement to pay a \$500 fine per AS 08.61.060.

The Board consulted with Jasmin Bautista on consent agreements, whereby it was clarified that a minimum of \$1,000 is required, but some amount can be suspended.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to deny the application of Peijun Li per AS 08.61.080(9), 12 AAC 79.190(11), and AS 08.61.030(11).

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to approve the application of Tessa Wells.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to refer the application of Yong Li Wang to Investigations for further review.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to approve the application of Lujun Quin pending receipt of a clear background check per 12 AAC 79.130(c).

Upon a motion made by Shirley Nelson and seconded by Traci Gilmour, with unanimous approval

It was RESOLVED to approve the application of Rhonda Perry pending receipt of a clear background check per 12 AAC 79.130(c).

Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, with unanimous approval

It was RESOLVED to approve the application of Dong Yingqin.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to approve the application of Tamarin Anderson.

Upon a motion made by Amanda Unser and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to go on break.

Off record at 10:20 p.m.

On record at 10:31 p.m.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to approve the applications of Lisa Wells, Shanti Trevelyan, Athenia Swinford, Rachael Summerlin, Julie Staten pending a clear background check per 12 AAC 79.130(c).

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to approve the applications of Melissa White and Rhma Smith.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was RESOLVED to approve the application of Darlene Nalau.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was RESOLVED to approve the application of Sarah McGlashan.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was RESOLVED to approve the application of Sabrina Barryman pending a clear background check per 12 AAC 79.130(c) and receipt of fees.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was RESOLVED to approve the applications of Heather Dollinger, Alice Guyot, Angela Irvin, Courtney McGlinchy, Christi O'Brien, and Nathan Prince pending a clear background check per 12 AAC 79.130(c).

Agenda Item 5 Lunch

Time: 11:28 p.m.

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to break for lunch.

Off record at 11:28 a.m.

On record at 1:00 p.m.

Agenda Item 6 Public Comment

Time: 1:00 p.m.

Brice Brent was on the line for public comment, and had several questions to pose to the Board:

- 1.) What is the best transition to become licensed, reciprocity or exam?
- 2.) Can the Board publish forewarnings about specific convictions that may result in license denial?
- 3.) How can one appeal to the Board, or speak with them directly?
- 4.) Where can one go for the most updated statutes and regulations?
- 5.) What are the requirements for home office sole proprietors?

Agenda Item 7 New Business

Time: 1:10 p.m.

The Board continued to discuss statutory changes, specifically to AS 08.61.030(a).

Upon a motion made by Amanda Unser and seconded by Traci Gilmour, with unanimous approval

It was **RESOLVED** to go on break.

Off record at 1:48 a.m.

On record at 1:54 p.m.

Agenda Item 4 Drafting Licensing Establishments

Time: 1:54 p.m.

The Board resumed discussion on drafting license requirements, and also discussed statute changes in AS 08.61.030, 08.61.100(5), and 08.61.080.

Agenda Item 8 Administrative

Time: 2:45 p.m.

The Board addressed administrative issues, and brought salient the need to emphasize that

failure to disclose is a violation. The Board requested that the Division make this more clear on forms 08-4659 and 08-4658.

TASK:

The examiner add a warning on applications 08-4659 and 08-4658

TASK:

The Board requested that the Division contact the FSMBT for a list of therapeutic schools.

TASK:

The Board requests that examiner looks into posting an updated FAQ's document to the Board's site.

TASK:

Amanda Unser will contact a legislator to help with the Board's proposed statutory changes, including AS 08.61.010, AS 08.61.080, and AS 08.61.030(3)(A).

Upon a motion made by Amanda Unser and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to go on break.

Off record at 2:45 a.m.

On record at 2:51 p.m.

Agenda Item 8 Correspondence

Time: 3:00 p.m.

The Board spent this time responding to questions posed during public comment.

- 1.) Is it possible to notify massage therapists working in remote, seasonal lodges for the purpose of informing them of the requirement to obtain an Alaska massage therapy license? The Board can search the business license database to reach its massage therapists and notify them of the license requirements.
- 2.) Is it possible for individuals to obtain a temporary permit while waiting for their permanent state license to process? This is not a current license option.
- 3.) Do therapists graduating massage school in 2017 have to obtain an additional background check in order for their renewal to process? Is there a possibility of changing the massage therapy expiration date to two years subsequent to the initial date of issuance? Applicants who are applying 90 days preceding the date of renewal are not required to pay the renewal fee; if applicants apply under this

timeframe, their license is issued to the next renewal date. The renewal date is set by the Department.

- 4.) Is there a way for the Board to quantify/qualify acceptable specific continuing education *courses* amongst several courses offered by “approved” providers? The Board will be setting standards for continuing education for approval of specific courses.
- 5.) What is the best transition to become licensed, reciprocity or exam? If an applicant has recently graduated from a massage therapy program, the applicant should apply by exam. If the applicant is already licensed in another state, s/he should apply by reciprocity; if an applicant has been practicing massage within the state of Alaska for within 5 years preceding the date of application, it would be best to become licensed by transition.
- 6.) Can the Board publish forewarnings about specific convictions that may result in license denial? There is a list of certain convictions that the Board has deemed “okay”, but the Board would like to emphasize that failure to disclose is a violation. The Board advises that applicants be thorough in their responses to questions relating to professional fitness, otherwise investigations may be necessary.
- 7.) How can one appeal to the Board, or speak with them directly? Public comment, and the licensees can go through an administrative appeal procedure.
- 8.) Where can one go for the most updated statutes and regulations? Website.
- 9.) What are the requirements for home office sole proprietors, will they be punished for having a home office? This is an exempt issue, which is currently under discussion.

Agenda Item 9 Adjourn

Time: 3:31 p.m.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to adjourn at 3:31 p.m.

Respectfully Submitted by:

Laura Carrillo
Records & Licensing Supervisor

Approved by:

Amanda Unser, Chair
Alaska State Board of Massage Therapy